



April 18, 2024

**BY ECF**

Hon. Mae A. D'Agostino  
James T. Foley U.S. Courthouse  
445 Broadway  
Albany, New York 12207

Re: *Mintz v. et.al. v. Nigrelli, et al.*, No. 1:23-cv-00795 (MAD/CFH)

Your Honor,

I represent the plaintiffs, Eliyohu Mintz and Eric Schwartz, in the above-referenced matter.

By way of brief background, after this action was commenced, the plaintiffs filed a motion for a preliminary injunction, which was decided by this Court on March 20, 2024. Since then, I have attempted to consult with counsel for the various defendants regarding their intentions moving forward, as no Answer/response has been filed or served (the First Amended Complaint was filed on July 18, 2023).

Counsel did respond to my inquiry, generally, but have not yet provided any indication of their intentions going forward. In that connection, I write to request that the Court set a scheduling conference pursuant to Fed. R. Civ. P. 16 or, in the alternative, refer this request to Magistrate Hummel for discovery so that a conference can be held and a schedule set to allow the parties to proceed forward.

Thank you for the Court's consideration in this matter.

Sincerely,

*Amy L. Bellantoni*  
Amy L. Bellantoni

cc: All Counsel of Record (by ECF)